

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Chapter 7

In re:

Naseer Abdullah Mohammad and Tati Maryati Mohammad,

Debtors.

BKY No. 13-41265

NOTICE OF HEARING AND MOTION FOR WAIVER OF DISCHARGE

Debtor, Naseer Abdullah Mohammad, respectfully moves the Court for the relief requested below and gives notice of hearing.

1. The Court will hold a hearing on this motion at 9:00 a.m. on August 21, 2013, in Courtroom No. 8W, 8th Floor, at the United States Courthouse, at 300 South Fourth Street, in Minneapolis, Minnesota 55415.
2. Any response to this motion must be filed and served no later than August 16, 2013, which is five days before the time set for the hearing (including Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT TO MOTION WITHOUT A HEARING.**
3. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 4004 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on March 15, 2013.
4. This motion arises under 11 U.S.C. § 727(a)(10). This motion is filed under Fed. R. Bankr. P. 9014 and Local Rules 9013-2.

5. Debtor requests the Court to approve his Waiver of Discharge.

WHEREFORE, Debtor, Naseer Abdullah Mohammad, moves the Court for an order approving his written waiver of his right to a discharge and such other relief as may be just and equitable.

DUDLEY AND SMITH

Dated: July 30, 2013

By: 

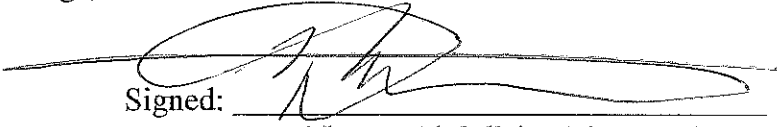
Brian M. Glodosky #386711
Dudley and Smith, P.A.
2602 U S Bank Center
101 E 5th St
St Paul, MN 55101

Attorneys for Debtors

VERIFICATION

I, Naseer Abdullah Mohammad, the debtor and movant named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: July 22, 2013

Signed: 

Naseer Abdullah Mohammad
212 Dresden Alcove
Waverly, MN 55390

**UNITED STATES BANKRUPTCY COURT
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MEMORANDUM OF FACT AND LAW

Debtor, Naseer Abdullah Mohammad, submits this Memorandum of Fact and Law in support of his Notice of Hearing and Motion for Waiver of Discharge.

FACTS

The debtor filed the petition commencing this Chapter 7 case on March 15, 2013. He seeks an order from the Court approving a waiver of discharge in this case under U.S.C. 11 § 772(a)(10) in order to avoid the tribulation and expense of an adversary proceeding. In return for debtor's waiver of discharge the United States Trustee has agreed to drop the pending adversary litigation.

ARGUMENT

11 U.S.C. § 727(a)(10) provides the Court may approve a written waiver of discharge executed by the debtor after the order for relief under this chapter. This Chapter 7 case was commenced on March 15, 2013. Now through this motion debtor seeks approval

from this Court for waiver of discharge in this case. Debtor has been advised by counsel of the consequences of a waiver of discharge and he wishes to avoid the tribulation and expense of any further adversary litigation. Therefore, the court should approve this waiver of discharge.

DUDLEY AND SMITH

Dated: July 30, 2013

By: /s/ Brian M. Glodosky
Brian M. Glodosky #0386711
Dudley and Smith, P.A.
2602 U S Bank Center
101 E 5th St
St Paul, MN 55101

Attorneys for Debtors

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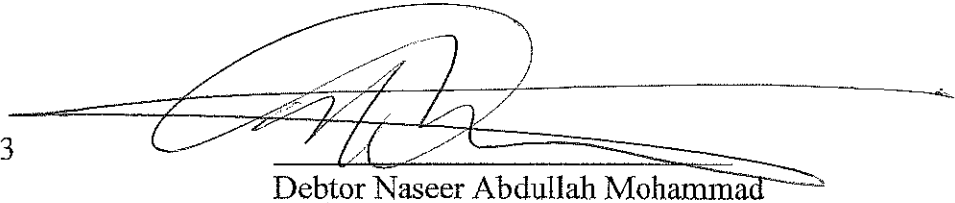
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WAIVER OF DISCHARGE

The undersigned debtor expressly waives discharge of his right to discharge his debts under 11 U.S.C. § 727(a)(10).

Dated: July 22, 2013



Debtor Naseer Abdullah Mohammad

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Chapter 7

In re:

Naseer Abdullah Mohammad and Tati Maryati Mohammad,

Debtors.

BKY No. 13-41265

ORDER APPROVING DEBTOR'S MOTION FOR WAIVER OF DISCHARGE

This matter came before the Court on Debtor Naseer Abdullah Mohammad's Motion for Waiver of Discharge (hereinafter referred to as "Motion"). Having considered the Motion, the testimony of the Debtor and requirements set forth in the Bankruptcy Code and Rules, and being sufficiently advised, the Court hereby FINDS:

1. That the Debtor, Naseer Abdullah Mohammad, has been sufficiently advised by counsel as to the breadth of his consequences of his waiver and is knowingly and voluntarily making the decision to waive his discharge with a sufficient understanding of the ramifications of such waiver.

THE COURT THEREFORE ORDERS:

That the Motion is well taken and shall be granted, and that the Court approves the Debtor's written waiver of discharge.

Dated: _____

Kathleen H. Sanberg
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Naseer Abdullah Mohammad,
Tati Maryati Mohammad,

Case No. 13-41265
Chapter 7 Case

Debtors.

UNSWORN DECLARATION FOR PROOF OF SERVICE

Michelle D. Borries states under penalty of perjury that she is an employee of Dudley and Smith, P.A., and in the course of said employment she served the following documents:

- Notice of Hearing and Motion for Waiver of Discharge and, if approved, Dismissal of § 727 Adversary Action (Case No. 13-04184) by debtor Tati Maryati Mohammad;
- Memorandum of Fact and Law;
- Waiver of Discharge by debtor Tati Maryati Mohammad;
- proposed Order Approving Debtor's Motion for Waiver of Discharge and Dismissing Adversary Proceeding No. 13-04184;
- Notice of Hearing and Motion for Waiver of Discharge by debtor Naseer Abdullah Mohammad;
- Memorandum of Fact and Law;
- Waiver of Discharge by debtor Naseer Abdullah Mohammad; and
- proposed Order Approving Debtor's Motion for Waiver of Discharge

on the entities named on the attached Service List by enclosing true and correct copies of same in an envelope, properly addressed and postage prepaid, and depositing same in the United States mail, and by electronic service upon the Chapter 7 Trustee, and the Office of the United States Trustee on the date listed below.

Dated: August 2, 2013

/s/ Michelle D. Borries
Michelle D. Borries

SERVICE LIST

ACS/JP MORGAN CHASE
2277 EAST 220TH STREET
CARSON, CA 90810

CAPITAL ONE / BEST BUY
PO BOX 30253
SALT LAKE CITY, UT 84130

CAPITAL ONE BANK
PO BOX 5253
CAROL STREAM, IL 60197

CITIMORTGAGE INC
PO BOX 6243
SIOUX FALLS, SD 57117

COMENITY BANK / ANN TAYLOR
PO BOX 182789
COLUMBUS, OH 43218

DIRECT LOAN SERVICING
PO BOX 5609
GREENVILLE, TX 75403-5609

DISCOVER BANK / SAM'S CLUB
PO BOX 965004
ORLANDO, FL 32896

EDFINANCIAL SERVICES
PO BOX 36008
KNOXVILLE, TN 37930-6008

FIFTH THIRD BANK
MD# ROPS05 Bankruptcy Department
1850 East Paris SE
Grand Rapids, MI 49546-6253

FIRST AMERICAN PAYMENT SYSTEMS
301 COMMERCE STREET, STE 200
FORT WORTH, TX 76102

First American Payment Systems
100 Throckmorton Street, Suite 1800
Fort Worth, TX 76102

FIRST DATA LEASING
PO BOX 173845
DENVER, CO 80217

FIRST DATA MERCHANT SERVICES
400 CORAL RIDGE DRIVE
CORAL SPRINGS, FL 33065

GE Capital Retail Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

GECRB / JC PENNEY
PO BOX 965005
ORLANDO, FL 32896

LEASE FINANCE GROUP
PO BOX 7861
NEW YORK, NY 10116

LEASE FINANCE GROUP LLC
132 W 31ST ST
14TH FLOOR
NEW YORK NY 10001

LEASE FINANCIAL GROUP
233 NORTH MICHIGAN AVE, STE 1800
CHICAGO, IL 60601

Lease Financial Group, LLC
65 East Wacker Place, Suite 510
Chicago, IL 60601

LOBECCO, LLC
C/O STEVEN G. POTACH
1110 TCF TOWER
121 SOUTH EIGHTH STREET
MINNEAPOLIS, MN 55402

LOBECO LLC
C/O MID-AMERICA REAL ESTATE
5353 WAYZATA BLVD SUITE 650
MPLS MN 55418

MACYS / DSNB
PO BOX 8218
MASON, OH 45040

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

SALLIE MAE
PO BOX 9500
WILKES-BARRE, PA 18773-9500

Sallie Mae
c/o Sallie Mae Inc.
220 Lasley Ave
Wilkes-Barre, PA 18706

SAM'S CLUB DISCOVER/GECRB
PO BOX 960013
ORLANDO, FL 32896

SODERBERG APARTMENT SPECIALIST
6401 CAMDEN AVENUE
BROOKLYN CENTER, MN 55430

STATE OF MINNESOTA
MN DEPT OF REVENUE
COLLECTION DIVISION
PO BOX 64564
SAINT PAUL, MN 55164-0564

TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS, IA 52408

WELLS FARGO BANK
PO BOX 5943
SIOUX FALLS, SD 57117

Wells Fargo Bank NA
PO Box 10438
Des Moines IA 50306-0438

WELLS FARGO CARD SERVICES
PO BOX 14517
DES MOINES, IA 50306

Wells Fargo Card Services
1 Home Campus
3rd Floor
Des Moines, IA 50328

WF FINANCIAL CARDS
CSCL DSP TM MAC N8235-04M
PO BOX 14517
DES MOINES, IA 50306

Capital One, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Rd, Suite #200
Tucson, AZ 85712-1083

Fifth Third Bank
c/o Wilford & Geske
8425 Seasons Pkwy, Suite 105
Woodbury, MN 55125-4393